

REMARKS

Reconsideration of the present application as amended is respectfully requested.

In the office action, claims 1-6, 8-13, 15-16, 18-24 and 26 -31 were pending and rejected. In this response, claims 27-31 have been canceled. Claims 1-6, 8-9, and 21 have been amended. In addition, new claims 32-58 have been added. No new matter has been added.

Claims 1-6, 8-13, 15-16, 18-24 and 26-31 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,392,671 to Glaser ("Glaser"). Applicant hereby reserves the right to swear behind Glaser. It is respectfully submitted that claims 1-6, 8-13, 15-16, 18-24, 26, and 32-58 include limitations that are not disclosed by Glaser.

Specifically, for example, independent claim 1 includes limitations of retrieving a data value representing an appearance of an enclosure of a data processing system, where the data value includes a value representing at least one of a machine type and a color of the enclosure of the data processing system. Thereafter, an appearance of a display of the data processing system is determined based on the appearance of the enclosure of the data processing system using the data value. That is, an appearance of a display of a computer (e.g., desktop scheme) may be determined based on a data value representing an appearance of an enclosure (e.g., chassis) of the computer. The data value also indicates the machine type and/or color of the enclosure of the computer. It is respectfully submitted that the above limitations are absent from Glaser.

Rather, Glaser discloses selecting a desktop scheme of a computer based on a type of a pointing device (e.g., mouse) plugged into the computer, such as mechanical and/or electrical features of the pointing device, rather than an enclosure (e.g., chassis) of the computer.

Specifically, Glaser states:

"Further in accordance with the present invention, mouse 30 includes identification means 35, which can be, for example, a semiconductor memory, DIP

switch package, or a hardwired structure. Identification means 35 carries a unique identifier sufficient to identify to a computer system each unique individual mouse 30 that is connected to the microprocessor unit 1. In a preferred embodiment, this unique identifier corresponds to at least one desktop theme file stored in the microprocessor unit 1. The unique identifier may be a multi-bit code that is different from one mouse motif to another mouse motif."

(Glaser, col. 5, lines 27-37, emphasis added)

Thus, the desktop scheme of Glaser is determined based on a type of the mouse, where the mouse includes an identification means which is implemented in a mechanical and/or electrical manner as described above. It is respectfully submitted that the desktop scheme of Glaser is not based on an enclosure of the mouse and definitely not based on an enclosure of a computer. There is no suggestion for such purposes within Glaser.

In order to anticipate a claim, each and every limitations of the claim must be taught by the cited reference. It is respectfully submitted that Glaser fails to disclose each and every one of the limitations set forth above. Therefore, it is respectfully submitted that claim 1 is not anticipated by Glaser.

Similarly, independent claims 10, 16, 32, 41, 47, 50, and 58 include limitations similar to those recited in claim 1. Thus, for the reasons similar to those discussed above, it is respectfully submitted that claims 10, 16, 32, 41, 47, 50, and 58 are not anticipated by Glaser.

Given that the rest of the claims depend from one of the above independent claims, for the reasons similar to those discussed above, it is respectfully submitted that the rest of the claims are not anticipated by Glaser. Withdrawal of the rejections is respectfully requested.

In view of the foregoing, Applicant respectfully submits the present application is now in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

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